

AGENDA MEETING

MALVERN CITY COUNCIL
Tuesday, September 6, 2016
CITY HALL COURTROOM, 6:30 P.M.

I. CALL THE MEETING TO ORDER

II. OLD BUSINESS

- A. 2nd Reading – Ordinance Levying taxes for 2017

III. NEW BUSINESS

- A. Discussion – Garbage fee
- B. Discussion – ISO Rating
- C. Discussion – Property Maintenance Codes
- D. Ordinance – Amend Violations for Nuisance Ordinance
- E. Discussion – drainage issues, Shady Lane/East Page
- F. Discussion – Water Works clean intake structure
- G. Discussion – Garden District Subdivision
- H. Update – Perla Water

IV. CITIZENS WISHING TO APPEAR

V. MAYOR REPORTS

VI. ADJOURNMENT



1000 Bishops Gate Blvd. Suite 300
Mt. Laurel, NJ 08054

tel. 1 800 444-4554

August 9, 2016

Mr. Chris Brewster, Fire Marshal
Malvern
305 Locust Street
Malvern, AR 72104

Re: Notification of Publication of BCEGS Classification

Dear Mr. Brewster:

ISO has completed our analysis of the building code adoption and/or enforcement program improvements Malvern has made and as a result of those improvements; the Building Code Effectiveness Grading Schedule (BCEGS) Classification that ISO will implement for Malvern is a Class 5 for 1&2-family residential property and a Class 5 for commercial and industrial property. The BCEGS classification will apply to new buildings receiving a Certificate of Occupancy during or after January 1 of the year 2016.

We have enclosed a copy of ISO's report which will provide you additional information about the classification process and how ISO evaluated various aspects of your community's building codes and their enforcement. We want to emphasize that the ISO Building Code Effectiveness Grading program is an advisory insurance underwriting information and rating tool. It is not intended to analyze all aspects of a comprehensive building code enforcement program. BCEGS is not for purposes of determining compliance with any state or local law nor is it for making loss prevention or loss safety recommendations.

ISO reviews a community's BCEGS classification approximately every five years. If a community significantly changes its building code adoption and/or enforcement program within that time period and ISO is made aware of this, a reevaluation will be scheduled.

Thank you once again for your cooperation in this important project. Please feel free to contact ISO at any time for answers to your questions about the BCEGS program.

Sincerely,

Esther Solá

Esther Solá, BCEGS Community Mitigation Analyst
Cell (312) 241-7297
Email: esola@iso.com

cc: Honorable Brenda J. Weldon, Mayor

Enclosure

ADEQ

ARKANSAS
Department of Environmental Quality

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (91 7199 9991 7036 5030 0956)

AUG 24 2016

The Honorable Brenda J. Weldon
Mayor, City of Malvern
305 Locust Street
Malvern, AR 72104

RE: Small Municipal Separate Storm Sewer System (MS4) General Permit ARR040000

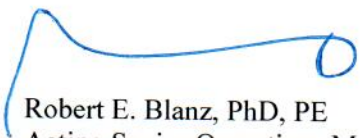
Dear Mayor Weldon,

This letter is written in regard to a letter from the Department to Mayor Weldon, dated June 21, 2016. This letter laid out requirements to apply for an MS4 permit with a deadline of 180 days of the date of the letter.

Originally it was determined that Malvern needed an MS4 permit based on its population, population density and proximity to an impaired stream on the State's currently approved 2008 303(d) list. Upon further review, the impairment has been removed for the proposed 2016 303(d) list. The list is currently pending review with EPA. In light of this information, the City of Malvern will not be required to apply for an MS4 at this time. The Department will review eligibility for the City of Malvern to apply for an MS4 at a later date.

If you have any questions concerning this matter or need additional information, please feel free to contact Blake Ahrendsen, of my staff, at (501) 682-0626 or by email at ahrendsen@adeq.state.ar.us.

Sincerely,



Robert E. Blanz, PhD, PE
Acting Senior Operations Manager
Office of Water Quality

RB:ba

Attachments: Notice of Intent
ARR040000
cc: Electronic Files (ARR040000)
Richard Healey, Branch Manager, Enforcement Branch
Blake Ahrendsen, NPDES Engineer, Permits Branch

ORDINANCE # _____

AN AMENDMENT OF ORDINANCE 9.52.050

WHEREAS, the Malvern City Council desires to amend Ordinance 9.52.050 to establish higher monetary fines for violations of the Nuisance Ordinance, 9.52.

NOW, THEREFORE, BE IT ORDAINED by the Malvern City Council that Ordinance 9.52.050, penalties for violation of the Nuisance Ordinance, shall be amended as follows:

9.52.050 Violation - Penalty. If any person, firm, or corporation who is the owner or owners of any lot or other real property within the City of Malvern, after being given seven days notice in writing by the code enforcement officer, refuses or neglects to perform the duties in connection with his or their property as specified in Section 9.52.040 of this chapter or who violates the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than two hundred and fifty dollars (\$250.00) or more than one thousand dollars (\$1,000.00).

WHEREAS, passage of this amendment to the Ordinance is necessary for the peace, health and safety of the people of the city of Malvern, Arkansas, an emergency is declared to exist, and this ordinance is effective upon its passage by the council.

Passed this _____ day of _____, 2016.

Approved:

Brenda J. Weldon, Mayor

ATTEST:

Phyllis Dial, City Clerk